

EXHIBIT 4

Correspondence to the Plaintiff's Counsel



100 Vestavia Parkway
Birmingham, AL 35216
Phone (205) 822-2006
Fax (205) 822-2057
www.carrallison.com

Gregory A. Brockwell
Direct Dial (205) 949-2916
Direct Facsimile (205) 822-4058
gab@carrallison.com

September 9, 2005

Via Facsimile

LaBarron N. Boone
BEASLEY, ALLEN, CROW,
METHVIN, PORTIS & MILES, P.C.
218 Commerce Street
P.O. Box 4160
Montgomery, AL 36103-4160

**RE: Estate of Ronald T. Roby v. Benton Express, Inc.
In the United States District Court for the Middle District of Alabama
2:05CV-194-T**

Dear LaBarron:

Thank you for your client's interrogatory responses. We trust that we will be receiving the request for production responses soon. We are following up on a few areas.

In response to interrogatory 2, you do not provide Mr. Roby's address at the time of his death. We assume that it was the same as Mrs. Roby's. Still, please supplement this response.

In response to interrogatory 6, you do not identify "the place from which he had left" with sufficient specificity. Please state the specific locations where Mrs. Roby and the Roby's son were dropped off at work that morning and also the order in which they were dropped off. Please also clarify whether "returning home" means returning to Mrs. Roby's home at 6301 Old Pond Road.

In interrogatory 17, we request information regarding Mr. Roby's estate or any of his heirs have received any payments or settlements as a result of the accident. You have objected, claiming that such information is irrelevant. We believe that this information is clearly relevant, and it could provide evidence of setoffs or credits to which Benton Express may be entitled. Accordingly, please supplement this response immediately.

Estate of Ronald T. Roby v. Benton Express, Inc.

September 9, 2005

Page 2

In interrogatory 18, we request information regarding any underinsured motorist coverage that Mr. Roby had. You again object that the information is irrelevant. If such coverage exists, Rule 26(a)(1)(D) requires you to produce this information, and it should have already been produced as part of your initial disclosures. Even if this rule did not apply, the information is still clearly relevant as it would evidence any right to subrogation, reimbursement, etc., that the insurance carrier might have.

In response to interrogatory 20, you object to identifying "each and every person whom you believe has discoverable knowledge of the claims made the basis of this lawsuit." You have already identified several such persons in your initial disclosures. Does your interrogatory response mean that you are not aware of any more people in addition to those identified in your initial disclosures? Please clarify this response and supplement it if necessary.

In response to interrogatory 21, you state that the Plaintiff has filed a workers' compensation suit against Baptist Health Systems. Please identify the date of commencement of this suit and the venue.

In response to interrogatory 23, the Plaintiff only states that she "has never been arrested." Please provide a response to the remainder of the interrogatory.

Thank you for your attention to this matter. We would forward to receiving your response.

Very truly yours,

A handwritten signature in black ink, appearing to read 'GAB', with a stylized flourish at the end.

Gregory A. Brockwell
For the Firm

GAB/sdh

cc: Brett A. Ross, Esq.



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September 23, 2005

Via Facsimile:

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METHVIN, PORTIS & MILES, P.C.
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In the United States District Court for the Middle District of Alabama
2:05CV-194-T**

Dear LaBarron:

It was a pleasure seeing you at Mrs. Roby's deposition this morning. To follow up on a few of the items that we discussed, please provide us with copies of the following at your earliest convenience:

- A list of all relatives of Mr. and Mrs. Roby that live in Alabama;
- Any and all documents reflecting insurance on the Chevy Malibu and the Mercedes;
- Any and all documents reflecting payments that have been made to Mrs. Roby and/or the estate of Ronald Roby as a result of Mr. Roby's death; and
- Any and all documents reflecting the creation of Ronald Roby's estate and Mrs. Roby's appointment as the representative of the estate.

Estate of Ronald T. Roby v. Benton Express, Inc.

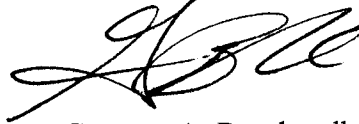
September 23, 2005

Page 2

We would also like to follow up on an issue regarding Mrs. Roby's response to Interrogatory 20 that was addressed in earlier correspondence. In response to interrogatory 20, you object to identifying "each and every person whom you believe has discoverable knowledge of the claims made the basis of this lawsuit." You have already identified several such persons in your initial disclosures. Does your interrogatory response mean that you are not aware of any more people in addition to those identified in your initial disclosures? Please clarify this response and supplement it if necessary. Mrs. Roby did not address this issue in her amended interrogatory responses.

Thank you for your attention to this matter. Please let us know if you have any questions or comments.

Very truly yours,

A handwritten signature in black ink, appearing to read 'GAB', with a stylized flourish extending from the bottom.

Gregory A. Brockwell
For the Firm

GAB/sdh

cc: Brett A. Ross, Esq.



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October 13, 2005

VIA FACSIMILE

LaBarron N. Boone
BEASLEY, ALLEN, CROW,
METHVIN, PORTIS & MILES, P.C.
218 Commerce Street
P.O. Box 4160
Montgomery, AL 36103-4160

**RE: Estate of Ronald T. Roby v. Benton Express, Inc.
In the United States District Court for the Middle District of Alabama
2:05CV-194-T**

Dear LaBarron:

This letter is to follow up on the enclosed letter of September 23, 2005. We have never received a response from you. Please provide a response at your earliest convenience. Thank you for your attention to this matter.

Very truly yours,

Gregory A. Brockwell
For the Firm

GAB/sdh
Enclosure
cc: Brett A. Ross, Eq.



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September 23, 2005

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Estate of Ronald T. Roby v. Benton Express, Inc.

September 23, 2005

Page 2

We would also like to follow up on an issue regarding Mrs. Roby's response to Interrogatory 20 that was addressed in earlier correspondence. In response to interrogatory 20, you object to identifying "each and every person whom you believe has discoverable knowledge of the claims made the basis of this lawsuit." You have already identified several such persons in your initial disclosures. Does your interrogatory response mean that you are not aware of any more people in addition to those identified in your initial disclosures? Please clarify this response and supplement it if necessary. Mrs. Roby did not address this issue in her amended interrogatory responses.

Thank you for your attention to this matter. Please let us know if you have any questions or comments.

Very truly yours,

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Gregory A. Brockwell
For the Firm

GAB/sdh

cc: Brett A. Ross, Esq.

From: Gregory Brockwell
To: LaBarron Boone
Date: 10/17/05 12:39PM
Subject: Re: FW: Message received from 2058222057 on 10/14/2005 at 3:39:50 PM.

Thank you for the response. When do you expect the list from Mrs. Roby? Also, what is the status of all of the other issues addressed in the letter?

Thanks,

Gregory A. Brockwell
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100 Vestavia Parkway
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>>> "LaBarron Boone" <labarron.boone@beasleyallen.com> 10/17/05 09:38AM >>>
We are awaiting the list from mrs Roby.

> -----Original Message-----

> From: Kathy Eckermann On Behalf Of Genifax Service
> Sent: Friday, October 14, 2005 3:41 PM
> To: LaBarron Boone; Cathy Hall; Dora Johnson
> Subject: FW: Message received from 2058222057 on 10/14/2005 at 3:39:50 PM.

>

>

>

> -----Original Message-----

> From: 2058222057 [<mailto:2058222057>]
> Sent: Friday, October 14, 2005 3:40 PM
> To: genifax@beasleyallen.com
> Subject: Message received from 2058222057 on 10/14/2005 at 3:39:50 PM.

>

> > <<Fax-Oct-14-2005-15-39-50-0317.tif>>

CC: Brett Ross